

1 SEAN P. PATTERSON, Esq.
2 STATE BAR NUMBER 5736
3 232 Court Street
Reno, Nevada 89501
(775) 786-1615
4 Attorney for Debtors

ELECTRONICALLY FILED
6-25-13

5 UNITED STATES BANKRUPTCY COURT

6 FOR THE DISTRICT OF NEVADA

7 * * *

IN RE:
GARY K. COMBE
MARCY L. COMBE

Case No. BK-N-10-53305-GWZ
(Chapter 13)
APPLICATION TO MODIFY
CONFIRMED CHAPTER 13 PLAN
Hearing Date: 8-30-13
Hearing Time: 2:00 p.m.
Time Required: 5 Minutes

Debtors.

11 _____ /
12 COMES NOW Debtors, by and through counsel, SEAN P. PATTERSON,
13 Esq. and applies to this Court for a post-confirmation modification
14 of their Chapter 13 Plan, pursuant to 11 U.S.C. §1329, for reasons
15 more fully set forth below.

16 POINTS AND AUTHORITIES

17 This case was filed on or about August 20, 2010. The plan was
18 filed on the same day. The case was filed to allow the debtors to
19 reorganize their unsecured debt, pay their IRS obligations, and
20 cure some vehicle arrears. The plan was confirmed on December 3,
21 2010.

22 The debtor have had some changes in their income. Miss Combe
23 has been diagnosed, once again, with breast cancer. The Combes
24 incurred new medical expenses, due to the treatments she has to
25 endure. Because of these changes, the debtors fell behind on their
26 plan payments. The debtors amended Schedule "I" and "J" are have
27 been filed with this motion.

1 Section 1329 allows for post-confirmation modification, for
2 good cause shown, for a period of a maximum of five (5) years from
3 the time the first payment under the original plan was due.
4 Counsel requests of this Court that the Plan be modified as
5 follows: Beginning in June, 2013, the plan payment shall decrease
6 to \$100.00 for sixteen (16) months. In November, 2014, the plan
7 shall increase to \$550.00 per month for the remainder of the plan.
8 The debtors Harley Davidson shall be paid off in October, 2014.
9 Due to the medical issues, the debtors fell behind on their vehicle
10 payments to Harley Davidson. The general unsecured creditors
11 should get less money under this proposal than the confirmed plan.

12 The debtors shall not turnover any tax refunds for the life of
13 the plan. Counsel requests attorneys fees of \$250.00 for this
14 motion.

15 RESPECTFULLY SUBMITTED this 25th day of June, 2013.

SEAN P. PATTERSON, Esq.

Read and Approved by:

Read and Approved by:

GARY K. COMBE

MARCY L. COMBE

DECLARATION IN SUPPORT OF FEES

1. I am the attorney in the above-referenced matter.

2. I am duly licensed as an attorney by the State of Nevada.

3. I have prepared the above motion and state under penalty of perjury that the representations of the facts are true and correct to the best of my knowledge.

7 4. My hourly rate for this case is \$275.00. It is
8 anticipated that I will spend 1.5 hours in total working on this
9 motion. This time includes, but is not limited to: discussing the
10 case with the client, drafting this motion, drafting the Notice of
11 Motion, setting the hearing for calendar, gathering the documents
12 for the Trustee's anticipated objection, court time, reviewing the
13 Trustee's objection, and reviewing the order to amend the plan.

Dated this 25th day of June, 2013.

SEAN P. PATTERSON, Esq.